

REMARKS

In an Office Action dated May 12, 2004, the Examiner rejected claims 1-6, 10, 11-16 and 20 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,658,255 (Goss '255) and rejected claims 7-9 and 17-19 as being unpatentable over Goss '255 in view of U.S. Patent 6,654,615 (Chow). Applicants respectfully disagree with the grounds for the rejection of these claims.

Both the present application and Goss '255 relate to arrangements for establishing calls in a wireless cellular network when no radio channels are available between a caller of a cellular call and a base station for serving the mobile station originating the call. Importantly, the present application goes beyond the teachings of Goss '255 by providing the capability of permitting the caller to disconnect and calling that caller back when a radio traffic channel becomes available. This distinction is recited in claim 1 in the words:

permitting the caller to disconnect while the network waits for a channel to become available;
when a channel becomes available for said call, calling back the caller and establishing the requested call.

This is clearly shown in FIG. 2, test 233, and action blocks 237, 239, 241 and 245. There is nothing equivalent to these tests and action blocks and the corresponding explanations in Goss '255.

In simple terms, the present invention is an advance over Goss '255 in that the cellular system permits the caller to disconnect and still be queued while the system waits for an available traffic channel; the system then calls the caller back when a traffic channel becomes available. If, for example, the wait is on the order of 30 seconds or more, this is a significant convenience to the caller and is not anticipated in Goss '255.

Applicants are taking this opportunity to correct a mistake on action block 210 on sheet 2 of the drawing. Applicants note that FIG. 2, block 210 contains a mistake because block 210 only queues the call and does not disconnect the user. This intention is clearly seen because action blocks 211 and 213 directly set up the connection without calling the user back and action blocks 211 and 215 depend on the user's still being

connected. Note that in the description on page 7, Applicants have recited with respect to block 210:

If the expected wait time is less than N seconds, the call is queued, action block (210).

There is no mention of disconnecting the caller because as stated above, actions subsequent to the performance of the execution of block 210 rely on the user still being connected. Applicants are including a red-ink marked correction of sheet 2 which contains action block 210. Note that the advance over Goss '255 described in this application does not depend on action block 210 since it is triggered by a negative result of test 207, which precedes action block 210 via action block 231 and a positive result of test 233. *and corrected copy wv 8/1/04*

In terms of the specific grounds for rejection cited by the Examiner for claims 1 and 11, the Examiner states:

If no channel is available permitting the caller to disconnect while the network waits for a channel to become available (abstract, FIGs. 2-3, column 3, line 46 - column 4, line 11);

when a channel becomes available for said call, calling back (return indicate) the caller and establishing the requested call (abstract, FIG. 2-3, column 3, lines 46 - column 4, line 59).

These references are to FIGs. 2-3 of Goss '255, which as stated above do not show disconnecting the caller while the call request is queued.

Applicants therefore respectfully submit that the subject matter of claim 1 and the corresponding apparatus claim 11 is novel over the teachings of Goss '255; accordingly claims 1 and 11 should be held allowable over these teachings. Claims 2-10 and 12-20 should also be held allowable as being dependent from an allowable independent claim.

Applicants respectfully submit that the above subject matter relates to establishing a call after the caller has waited online and without disconnecting and being called back.

Accordingly, Applicants respectfully request that the Examiner reconsider the grounds for rejection of all claims, allow claims 1-20, and pass the application to issue.

If the Examiner feels that a voice or fax communication would help to advance the prosecution of this application, the Examiner is invited to call or fax Applicants' attorney at 630 469-3575.

Respectfully submitted

S. C. Goss et al.



by Werner Ulrich
Attorney for Applicants
Reg. No. 30810

Date: 8/1/04

Attached
Red-ink marked copy of sheet 2 of the drawing
Corrected " " " " " "



S.C. GOSS 16-12-22-6-5-6-18-11-13

2/4

FIG. 2A

